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The Proceedings of the Fifth Annual Conference on Child Labor Under the Auspices of the National Child Labor Committee

Chicago, Ill., January 21, 22, 23, 1909.

The first annual conference of this Committee was held in New York City, February 14 to 16, 1905. The second was held in Washington, December 8 to 10, 1905, with supplementary sessions in Philadelphia and Chicago. The third was held in Cincinnati, December 13 to 15, 1906, and the fourth in Atlanta, Ga., April 2 to 5, 1908.

At the fifth annual conference held in Chicago, January 21 to 23, the following program was carried out:

GENERAL TOPIC: THE CHILD WORKERS OF THE NATION.

I. Thursday Afternoon, January 21st, 3 o'clock.

Chairman, Isaac N. Seligman, New York, Chairman *pro tempore* National Child Labor Committee.

Organization, enrolment of delegates, etc.

Reports and papers from District Secretaries and General Secretary.

1. "Some Unsettled Questions About Child Labor," Owen R. Lovejoy, General Secretary.
2. "The Child and the Law," Dr. A. J. McKelway, Secretary for the Southern States.
3. "Child Labor in the Canneries and Textile Industries of New England," Everett W. Lord, Secretary for New England States.
4. "Child Labor in the Ohio Valley States," E. N. Clopper, Secretary for Ohio Valley States.

II. Thursday Evening, January 21st, 7.45 o'clock.

Chairman, A. C. Bartlett, Chairman Chicago Committee on Fifth Annual Meeting.

Prayer, Rev. Smith Thomas Ford, D.D., President Chicago Church Federation Council.

1. Opening address by Isaac N. Seligman, Chairman *pro tempore* National Child Labor Committee, "The Duty of a Rich Nation to Care for Her Children."
2. Response, Prof. Charles R. Henderson, representing the Governor of Illinois.

3. The Federal Children's Bureau.

Ten-minute addresses:

Leo Arnstein, New York.

Prof. Charles R. Henderson, University of Chicago.

Judge Ben B. Lindsay, Denver, International Juvenile Court Society.

Jane Addams, Hull House.

Dr. Henry Baird Favill, Chicago, National Association for the Study and Prevention of Tuberculosis.

Samuel McCune Lindsay, Ph.D., Professor, Social Legislation, Columbia University, New York.

4. Stereopticon address, "Types of Working Children," Dr. A. J. McKelway.

III. Friday Morning, January 22d, 10 o'clock.

Chairman, Isaac N. Seligman.

STATE AND LOCAL COMMITTEES—REPORTS AND DISCUSSIONS.

1. Exemptions to child labor laws on account of poverty, vacation, etc.; whether such exemptions exist, and if not, when and why repealed. Discussion opened by Edward W. Frost, Chairman, Wisconsin Child Labor Committee.
2. Employment certificates. Should they be issued by school authorities, members of health boards, judges, notaries, factory inspectors? Discussion opened by Mrs. H. M. Van Der Vaart, Secretary, Illinois Child Labor Committee.
3. Evidence of age. When documentary evidence cannot be procured, what procedure to obtain further evidence? Discussion opened by George A. Hall, Secretary, New York Child Labor Committee.

IV. Friday Afternoon, January 22d, 2.30 o'clock.

Chairman, Dr. Frank Billings, Chicago.

CHILD LABOR A MENACE TO THE NATIONAL HEALTH.

1. "Overworked Children on the Farm and in the School," Dr. Woods Hutchinson, New York.
2. "Some Effects of Improper Posture in Factory Labor," Dr. Albert H. Freiberg, Cincinnati.
3. "Child Labor and the Juvenile Court," Dr. James A. Britton, Chicago.
4. "The Roentgen Ray as a Factor in Child Labor Reform," Dr. Thomas Morgan Rotch, Boston (with Stereopticon).

Discussion by Dr. Henry B. Favill, Dr. Frank Billings and others.

V. Friday Evening, January 22d, 7.45 o'clock.

Chairman, Isaac N. Seligman.

CONTRIBUTIONS TO THE PROTECTION OF CHILDHOOD.

1. "The Relation of Public Education to Child Labor," Andrew S. Draper, Ph.D., State Commissioner of Education, Albany, N. Y.

2. "Practical Restrictions on Child Labor in the Textile Industries under Higher Educational and Physical Qualifications," Howell Cheney, Cheney Silk Mills, South Manchester, Conn.
3. "Scholarships for Working Children," Mrs. Florence Kelley, New York, General Secretary, National Consumers' League.
4. Stereopticon address, "Injurious Physical Effects of Premature Employment," Dr. Albert H. Freiberg, Cincinnati.

VI. Saturday Morning, January 23d, 10.30 o'clock.

Chairman, Homer Folks, Vice-Chairman National Child Labor Committee.

SYMPOSIUM OF FACTORY INSPECTORS.

1. "The Present Situation in Illinois," Hon. Edgar T. Davies.
2. "Uniform Systems of Child Labor Statistics," Hon. John Williams, New York.
3. "The Forward Step in Louisiana," Miss Jean M. Gordon, New Orleans, La.
4. "Accidents to Working Children," Edwin W. De Leon, New York, First Vice-President, Casualty Company of America.
5. Discussion of:
 - (a) Vacation work and vacation permits.
 - (b) Acts regulating street trades.
 - (c) The regulation of child labor in sweat-shops, home industries, etc.
 - (d) Advisability of prosecuting parents as well as employers.
 - (e) Child labor statistics.

VII. Saturday Afternoon, January 23d, 2.30 o'clock.

Chairman, Dr. Samuel McCune Lindsay, Vice-Chairman, National Child Labor Committee.

1. "Handicaps in Later Years from Child Labor," William E. Harmon, New York.
2. "The Difficulties of Child Labor Legislation in a Southern State," Hon. James R. McDowell, Jackson, Miss.
3. "Children in Dangerous Occupations," Charles W. McGinniss, Wheeling Stamping Co., Wheeling, W. Va.
4. Reports from State and Local Committees. (Continued.)
5. General Discussion.

Effectiveness of State Labor Departments.
Adequate school law enforcement.

A reception to delegates was given by the Chicago Woman's Club at the Fine Arts Building, Thursday afternoon, at five o'clock.

Speakers and members of the Local Committee were entertained at luncheon at Hull House, 335 South Halsted Street, on Friday, at one o'clock.

The various Committees in charge of the local arrangements for the meeting did excellent work and their efforts, as well as those of the Chicago

Federation of Woman's Clubs, the residents of Hull House and various others were given an enthusiastic vote of thanks by the conference, at its close.

The local Committees were composed as follows:

Officers.—Chairman, A. C. Bartlett; Vice-Chairman, Mrs. H. M. Wilmarth; Secretary, Mrs. H. M. Van Der Vaart; Treasurer, W. F. Dummer.

Executive Committee.—Jane Addams, Dr. Frank Billings, Mrs. I. S. Blackwelder, Mrs. Emmons Blaine, Supt. E. G. Cooley, Hon. Edgar T. Davies, Dr. Henry B. Favill, J. Fitzpatrick, Mrs. Henry Hart, Prof. Charles R. Henderson, Mrs. Ellen M. Henrotin, Dr. Emil G. Hirsch, Judge Julian W. Mack, Cyrus McCormick, George Perkins, T. W. Robertson, Julius Rosenwald, Dr. Graham Taylor, T. K. Webster.

Committee on Halls.—F. T. Hopp, Henry Thurston, Sherman Kingsley.

Press Committee.—Graham R. Taylor, Luke Grant, H. E. Fleming.

Finance Committee.—Mrs. J. T. Bowen, Allen Pond, W. F. Dummer.

First Session.

At the first session, held in the banquet room of the Auditorium Hotel, the Chairman, Mr. Isaac N. Seligman, presided, and reports on the work accomplished during the past year were presented by the General Secretary and the District Secretaries and appear in full in other parts of this volume.

Second Session.

At the second session, Mr. A. C. Bartlett, of Chicago, presided, and the meeting was opened with prayer by Rev. Smith Thomas Ford, D.D., President of the Chicago Church Federation Council. Mr. Bartlett said:

Members of the National Child Labor Committee, Ladies and Gentlemen: While the delegates to this conference are cordially welcomed to Chicago, it does seem a travesty upon the much boasted civilization of the twentieth century that you have come together at the very heart of this great prosperous Christian country to consider the fundamental,—yes, the elemental questions of common humanity which you are here to discuss.

While the men and women, and a very large proportion of the children of the United States are living in the twentieth century, a comparatively small number of helpless boys and girls are living in the Middle—in the Dark Ages. And this condition is not by common consent of our citizens, adults and minors, but is due to the greed for wealth, the enterprise of a few manufacturers, miners, and sweat-shop conductors, and to the ignorance or poverty of natural, or the rapacity of unnatural, parents.

It is difficult to conceive that in this what I have called Christian country, it is necessary to enact and enforce laws against depraving, against the more or less slow murder of children, for the sole purpose of acquiring dollars, but experience has taught that the process of Christianizing some of our otherwise respectable and Christian citizens is too slow, and that we must appeal to the law-making bodies and to the executive branches of government for relief from this condition of child enslavement. And so this National

Committee and other kindred organizations are informing, educating, arousing our intelligent people to a realization of this injustice, of the crimes which are committed against these wards of ours, and urging promptness and universality of action. Much has been accomplished in the different states, but if I understand the situation correctly, you are not asking for action in the individual states of the Union so much as for federal legislation that shall be at once comprehensive and conclusive.

In furtherance of this object, you are holding this conference, confident that the good work done in former meetings of this kind will be continued through wide publication of the discussions, by eminent men and women, you are here holding.

Among those who will be prominent in these discussions is a gentleman of whom a New York citizen recently said:—"No real reform is inaugurated and prosecuted in our city which does not have the moral and financial support of this gentleman."

I have the honor and pleasure of introducing Mr. Isaac N. Seligman, of New York, who will address you upon "The Duty of a Rich Nation to Care for Her Children."

Following the opening address by the Chairman of the National Child Labor Committee, Prof. Charles R. Henderson responded as the personal representative of the Governor of Illinois, and read the following letter from the Governor:

"My DEAR SIR:—I acknowledge the receipt of your letter of the 17th inst., enclosing tickets to the annual meeting of the National Child Labor Committee. I thank you very much for your courtesy in enclosing the tickets and for your kindness in consenting to represent me at the conference, which I regret I am unable to attend personally.

"I am very much interested in industrial questions, and especially in the problem of child labor. I have been much gratified at the progress which Illinois has made in recent years in lowering the percentage of child labor employed in our manufacturing establishments. This has been steadily reduced and is now but 1.2 per cent. of the total number of employees, the lowest percentage shown by any state from which reports have been obtained.

"These results have been achieved through the co-operation of the State Factory Inspection Department, school officials and others. I am informed that the present policy has restored to the schools of Chicago alone more than 16,000 children.

"Two years ago the maximum age of compulsory school attendance was fourteen years and children between that age and sixteen were no longer subject to the control of the school authorities. The last General Assembly enacted a law providing that between the ages of fourteen and sixteen years children, when not employed, must attend school. Great benefit has followed from this enactment and the school attendance throughout the state has been increased by many thousands.

"I trust that the deliberations of the conference will result in the further

amelioration of conditions surrounding children and you have my hearty good wishes to that end.

"Kindly express my regret at my inability to attend the conference.
(Signed) "CHARLES S. DENEEN."

The addresses of Mr. Seligman and Prof. Henderson are published in full elsewhere in this volume.

The special topic of the evening was the Federal Children's Bureau and brief addresses urging the establishment of this Bureau are reported in the symposium under that head.

The session closed with a stereopticon address on "Types of Working Children," by Dr. A. J. McKelway. The speaker presented a large collection of photographs taken from Southern cotton mills and from Northern child-employing industries, tending to show not only the types of children employed, but various effects of such employment.

Third Session.

At the third session, reports were presented from state and local Committees and appear in this volume under their proper titles. The special topics for general discussion were as follows:

(1) Exemptions to Child Labor Laws. In leading the discussion on this topic, Mr. Edward W. Frost, Chairman of the Wisconsin Child Labor Committee, said:

"Exemptions in child labor laws are to child labor workers what indiscriminate giving is to the laborers for scientific charity. They are our thorn in the flesh—our constant provocation to wrath.

"The man or woman who is responsible for the passage of a child labor bill and its management before the legislature, can never know at what moment some harmful amendment exempting certain classes of children or all children in certain industries will be sprung upon the legislature. Eternal vigilance is indeed the price of a good child labor law. However moderately and carefully it may have been drawn, and whatever smooth sailing may seem to be before it, there are rocks and perils ahead until the last vote has been recorded and the governor has attached his signature to the bill. Even then constitutional questions in the courts and the ever-present dangers from lack of public interest and understanding or from inefficient enforcement confront our law on every hand.

"When those of us who have come to bear these responsibilities meet at times like this in 'experience meetings,' we naturally recount our struggles and compare the widely differing conditions which confront us North and South. Uniformity seems often almost hopelessly far away and sometimes we are almost ready to wonder whether the struggle is after all worth while. Or sometimes forgetting the division of powers in our scheme of government and the necessity of local initiative and responsibility we are tempted to seek some royal road to uniformity, some short cut to our goal in the visionary form of a federal child labor law. We must fairly face the fact that exemptions represent an inevitable stage of progress in the development

of child labor laws. They are quite as often the product of good though often ignorant purpose as of evil intent. They represent a natural step in the evolution of the model law. Without them the first child labor law of your state, the hardest to get, whose passage was the greatest victory in your long war, could never have been obtained. Be patient as the framers of good laws have ever been patient. In our frequent mourning over harmful exemptions, let us not forget that the brewer or tinware manufacturer, proud of his business and confident that young boys and girls working for him are well cared for, and exposed to no undue risks, feels the same discouragement and wrath when he is confronted by a law which excepts or exempts his business and refuses him the right to employ children as other manufacturers do. With what enthusiasm would he not echo the statement in the National Consumers' League handbook—"The best child labor law has no exemptions?"

"For many years at least there is little likelihood of such uniform child labor laws as would be possible in a small and compact European state and under a highly centralized government. While we may hopefully advocate great central points for every child labor law, the wide diversities of climate and population will make exceptions and exemptions necessary. Who among us, however high his motive and faithful his service, has yet attained to his own standard of a child labor law? Do we not all regret the exemptions in the laws of our several states? And who has not seen to his sorrow an exemption once struck out, re-enacted in response to the demand of some 'interest' or at the request of some well-meaning and misguided friend of the children.

"In this short paper, whose purpose is to state the general situation and to open the way for discussion of special exemptions and specific problems, there is no opportunity to discuss the wisdom or unwisdom of the most common exemptions. For general purposes they may be grouped in two classes.

"(a) The harmful exemptions whose purpose is apparently to keep certain occupations and certain classes of children outside of the beneficent protection of child labor laws and

"(b) Exemptions benevolent in their purpose, but often harmful in practice.

"Under the first class would clearly come exemptions which permit night work for children under sixteen, work in school hours for children under fourteen and work at certain dangerous or unwholesome employments where their work is believed to be economically productive. Fortunately each year lessens the number of such exemptions though they are sadly common still. Under the second class would come such exemptions as that which is such a blot on the new District of Columbia bill, permitting little children to work in school hours to aid in the family support, and in some states to work late on Saturday evenings or in the holiday season, or, lest little children should play too much, permit them to work without permit or restraint in street trades, as newsboys, or in messenger service. Vacation work

for children under fourteen would be placed by many students in this same class.

"There is such a thing as righteous wrath. There is more rarely than we think, a time roundly to denounce unwise exemptions and possibly the men who advocate them. But we who often grow impatient of public ignorance and indifference as to child labor dangers must remember our own recent indifference and ignorance and how much we have yet to learn.

"And especially, if I may speak from the standpoint of one who has appeared before many legislative committees on behalf of many children's measures, must we guard ourselves, there and elsewhere, against wholesale and indiscriminate denunciation of employers and against a scornful or uncompromising attitude toward amendments which seem to us unwise or do not fit into our general plan. Few endeavors call for more patience, tact and skill than a legislative campaign for a stronger child labor law or in defense of a threatened law.

"The men and women who are working for the improvement of conditions of children, and especially for better child labor laws, have an inestimable help in the confidence that they are engaged in one of the noblest and most unselfish of human endeavors and that for the present, at least, they have behind them the best and most intelligent spirit of the age. It is pre-eminently the children's day, their needs, their rights, their possibilities have never before loomed so large on the world's horizon. The stars in their courses are fighting for the children and whether or not there are occasional defeats and the weariness of hope deferred, we are certain that by others if not by us this victory will be won on behalf of the children of the world."

MISS JANE ADDAMS, of Hull House, added: "I wish to call the attention of the conference to the fact that every statute dealing with child labor which has been pronounced unconstitutional by any court in the last five years has been so pronounced on account of its exemptions."

(2) Employment Certificates. This discussion was opened by Mrs. Harriet M. Van Der Vaart, Secretary of the Illinois Child Labor Committee, who said in part:

"A child labor law is effective or ineffective very largely in proportion to the method that is used in giving the working certificate.

"A number of years ago, here in Illinois, these certificates were left in the hands of notaries. We found on investigation that the law was almost ineffective. In the factories one-third of the children at that time were below the required age. An undertaker, the proprietor of any little shop in the neighborhood, could become a notary and give certificates to the children of his acquaintances in that neighborhood. Parents did not seem to realize that a solemn oath was required on their part to obtain this certificate, but looked at it simply as a permit which it was necessary to obtain before the child was allowed to go to work. Sometimes the parent did not even accompany the child, but would write a note to some friend who was a notary, asking him to make out the necessary papers to allow the child to go to work.

"It would, in my judgment, be a mistake to place the issuing of certificates in the factory inspector's office, as the inspector would then be placed in the position of investigating his own work.

"The placing the responsibility of issuing the final certificate in the hands of the school authorities is perhaps the best plan, but this, too, must be safeguarded. The experience in Chicago illustrates the necessity for this. When our present law went into effect, the issuing of certificates was left in the hands of the school authorities, which was interpreted to mean that the head of every parochial school and of every public school throughout the state had the responsibility of giving the necessary paper allowing the child to work.

"For three months investigations were made of the schools located in the industrial districts to learn if the working certificates were being given to the children of fourteen. Many facts were secured showing that children were getting certificates who were not entitled to them. In a very short time it was discovered that the law, because of this system, would again be largely ineffective.

"Conferences were held with Archbishop Quigley and Superintendent Cooley, which finally resulted in establishing a central office for the giving of these certificates. A representative of the parochial schools and a representative of the public schools give the certificates.

"Since this time the child who wishes to go to work must first get his school, birth or church record, and then, with his parent, go to this central office where the child is measured and weighed, the oath of the parent is taken and if the proof of age is satisfactory the working certificate is given. For the last five years this central office has been a part of the regular enforcement of the law in Chicago. This clause should be in the law and enforced throughout the state. It was also discovered that there was another loop-hole to the law, viz., a clause which says children seeking certificates without having regular proof of age may go before the county court and the oath of the parent or guardian will be accepted in place of the required proof of the child's age. As the law did not provide any means of ascertaining the facts about these children and learning if there were any proofs of the child's age, parents were not slow in finding out that the certificate could be easily obtained from the county judge. Judge Carter, of the county court, called a conference of interested people, which resulted in the Secretary of the Consumers' League undertaking the investigation of the ages of the children who come to the county court. Her recommendation is accepted by the judge, who sends the child to the central office, where the paper from the court is taken in place of the school, birth or church record, and the working certificate given. In these two directions voluntary work is doing much for the effective enforcement of the child labor law in Chicago. Experience has proven to those interested in the enforcement of this law in Chicago that the giving out of labor certificates from one central place is the most effective way of safeguarding the working child."

Mr. Ryder, of Nebraska, urged the importance of having employment certificates issued by school authorities. He said, "I find that they will not

abuse the privilege, that they rather lean to the side of keeping the child in school than exempting him."

A delegate inquired about the issuing of certificates for parochial school children and Mrs. Florence Kelley replied: "Parochial school evidence is no better than public school evidence. In New York it is taken in exactly the same way as public school evidence. The child must bring the statement of the executive officer of the parochial school that the child has finished five years of the work of the school. In addition to that, it must bring its birth certificate entirely independent of the school, must read and write to the satisfaction of the examiner for the Board of Health."

MR. DAVIS, of Massachusetts: "There is no child labor law in the State of Massachusetts which the parochial school is obliged to keep. They keep no register unless they feel like it; they make no reports to the truant officers unless they feel like it; the parochial school will not invite the truant officers of their own account and the truant officers need not visit the parochial schools. From all that I can learn here in Chicago, I understand that almost the same difficulty exists here. Without any question, in my judgment, our law regarding compulsory education and the issuance of certificates breaks down absolutely at the point of parochial schools."

Another delegate replied: "I am a truant officer of the city of Chicago. We always go to the parochial schools and have for one year. Before that time, in my eight years' experience, I found that almost every priest welcomed me and helped to explain the difference between the private and public school. They are not compelled by law, but there is an agreement between the archbishop and the superintendent of compulsory education and they are glad to make the agreement."

(3) Evidence of Age. When documentary evidence cannot be procured, what procedure to obtain further evidence? Mr. George A. Hall, Secretary of the New York Child Labor Committee, opened the discussion as follows:

"In view of the great tide of immigration at the port of New York, probably no other city in the country has had to face so much difficulty in enforcing the requirement of the New York State law that children who desire employment certificates must produce proof of age. Recognizing this situation, the New York Child Labor Committee has been making, since its organization in 1902, a constant study of this whole question. Having ample proof that parents' affidavits as sole evidence of age could not be safely relied upon the Committee in 1903 amended the law so as to require the filing of documentary evidence (birth certificate, baptismal certificate or passport) it was found, after two years under this law, that some two thousand children in New York City could not produce such evidence, and being refused 'working papers' in many instances went to work illegally. To prevent this, and to obviate a growing antagonism to the law among school officials and others, the Committee amended it to permit the acceptance as proof of age (provided only that the usual documentary evidence could not be furnished) of what was called 'other documentary evidence' such as transcripts of Ellis Island record certifying as to the age of the child on date of arrival, transcripts of hospital, relief society and institutional

records, family bibles, vaccination certificates, etc. This change was beneficial in helping a considerable number of children to obtain certificates who otherwise would have failed. During the year 1908, in one borough only (Manhattan) in New York City, 890 children were granted certificates upon evidence described above. While refusals for insufficient evidence of age were thus materially reduced, it was learned that many children were still unable to get any of the kinds of evidence allowed by the law. As this difficulty existed chiefly in the larger cities the Committee again secured an amendment to the law, making it possible for children in New York, Buffalo and Rochester, in case none of the other kinds of evidence mentioned in the law could be produced, to obtain certificates after having undergone a physical examination independently by two physicians of the Department of Health, if such physicians were willing to sign a certificate that in their opinion such children were fourteen years of age and upwards. The amendment provided an interim of ninety days between the filing of the application for such physicians' examination and the actual examination in order to allow sufficient time for a thorough search for any of the regular kinds of documentary evidence. This law has been in effect a little over a year and seems to be working satisfactorily, although the Committee believe that the physical examination should be more thorough than at present. During 1908 one hundred and eighty-eight children made application for such an examination, of which number one hundred and twenty-five passed the examination and secured certificates. Of the remainder, nineteen were refused because unable to pass the examination, thirty secured, during the ninety day period, documentary evidence on the basis of which certificates were granted in the regular way, and fourteen cases are now pending.

"To facilitate the securing of documentary evidence of age in October, 1907, an agent was placed at the Committee's expense in the Manhattan Borough Office, New York City (Board of Health), where certificates are issued. With facilities at her command, such as a card catalogue of steamers and steamship lines, detailed data from foreign Consuls in New York City, showing how to write abroad for birth certificates, and in countless other ways this agent has been of great value in helping the parents to secure satisfactory documentary evidence. As a source of information as to the actual enforcement of the law both by school officials and by officers issuing certificates, this agency has been of very great assistance to the Committee in its work. Summing up our experience in this matter of securing evidence of age for children, our Committee strongly feels that under no circumstances should affidavits of any kind be accepted; that school records as evidence are not reliable; that documentary evidence should be insisted upon, and that physical examinations and other such expedients should be used only as a last resort. That documentary evidence can be secured in the great majority of cases has been abundantly proved by the study of this question in New York City."

Important suggestions were made on these topics by State Senator James R. McDowell, of Mississippi, who especially discussed the beneficial re-

sults in that state from the new law requiring certificate of age and refusing to exempt orphans and the children of dependent parents from the operation of the law.

DR. SAMUEL McCUNE LINDSAY, Vice-Chairman of the Committee, who discussed the importance of having legislative bills carefully drawn, said: "I do not think that up to the present time we have been sufficiently careful in the language of our statutes and in the work that we put upon the actual technical framing of the laws. We can avoid a great deal of the necessity for further legislation with a little more care at the right time, not only in determining what things we want in a law, but also in thinking how those wishes are to be expressed and made effective.

"A very distinguished writer, once giving advice to a company of young authors, said: 'The number of times a book will be read depends upon the number of times it has been written;' it is likewise true of a statute, that its effectiveness in operation will depend upon the number of times it was written before it was enacted.

"Some of you may know that in the British Parliament where there has been a longer period of experimentation in legislation than in any other legislative body and in which we are more or less interested, there is now a legislative drafting department made up of experts, to whom every bill is sent. No member of the British Parliament, and many distinguished and able lawyers are members of the British Parliament, would think of such a thing under present conditions in England as writing a bill. A member may formulate in a definite way in the form of a brief what he wishes to accomplish in a proposed measure, but he sends it to this drafting department made of men trained for years, and they put it in legal phraseology, with reference to what the existing law is, and to the changes it requires. The drafting expert brings in the text of a bill with comments and memoranda accompanying that text, and a very great deal of labor is saved to members of Parliament in their discussion of a bill, and many legal controversies are avoided after a statute has been enacted.

"We have made a very small beginning in a similar way in two or three of our states, where we have, as in New York and Wisconsin, a legislative reference library and librarian, but in no case in this country have those departments of our state service done just exactly what is being done in England in the way of legislative drafting. They help in getting information for legislators, but they cannot do much in the way of formulating legislation.

"In the report from Kentucky, we heard, yesterday, that the Kentucky law is a very excellent law. We heard, in the report of Miss Ingram, this afternoon, of the changes that were recently effected in that law. I notice that in the Kentucky statute as read, it is possible now, under this law for a child to go into a factory as a helper, because the word 'employed' is used instead of following the language which has been carefully worked out in the standard child labor law prepared by the Consumers' League and published by our National Committee. It is especially valuable as a standard,

not in the fact that all of the facts necessary to be covered in every state can be put into a standard law, but in the phraseology of the general features of all good child labor laws. It is not without previous thought, a great deal of previous thought, that these words are suggested. Where a prohibition of child employment is to be enacted, we should say 'No child, etc., shall be employed, permitted or suffered to work in or in connection with any factory except,' then put in the extent to which you propose the law to go. Now, that will prevent an evil that will undoubtedly arise in time, of children allowed to work in a factory, but not technically employed or on the pay roll.

"A stricter phraseology will usually meet with no opposition, probably in Kentucky there would not have been the slightest opposition to the addition to these words in the act had it been thought of at the time. I believe that we should deal very practically and plainly with such questions in these state Committee conferences. We ought not merely to discuss whether we want the age limit increased, whether we want factory inspection, whether we want this, that or the other thing that we feel would improve the condition of our child labor legislation, but we ought to confer together through the office of the National Committee and send the actual draft of these provisions for discussion, so that we may bring the experience of the older Committees or those who have had longer experience in such legislation to bear upon the situation in places where this legislation is needed, and thus anticipate a good many of our difficulties.

"My point is simply this, that a little greater care in the formulation and framing of such amendments to our laws which we shall from time to time ask the legislature to enact will probably be productive of good results and save us a great deal of trouble in the future and also save us from the necessity of asking for additional amendments."

Miss GORDON: "I would like to suggest that Louisiana has been a little doubtful about having so many exceptions. The district attorney drew up the original bill and then the minute it was attacked went into court and declared every section in it unconstitutional, so we will be a little bit wary in the future in drawing up our bills.

"But I would suggest that Kentucky and South Carolina could overcome that question of the children coming under the head of not being employed by putting in the section that the Louisiana law has, that the presence of any child around a mill or factory, except during meal hours, so that they can bring in meals to the parent or sister or brother working there, is *prima facie* evidence of his employment in that mill."

MR. LINDSAY: "That is a very good suggestion. I think that it might be well to say again that the practical thought I had in mind was this, that if in every case where legislation is contemplated or desired, a draft of what you intend to frame was sent to the secretary of the National Committee, with a request that it be sent around to be scrutinized and suggestions offered concerning it, I think it would be a little better and would enable us to embody such provisions as the one which has just been mentioned.

"Of course you cannot always rely upon lawyers. They are generally

very good men, but they will make mistakes, like a lot of other men. I recall one instance of a bill that I was particularly interested in myself and spent a great deal of time in drawing. It was submitted to three of the ablest constitutional lawyers in the state where that bill was to be introduced, all of them disinterested men, and I have not the slightest suspicion to this day that any one of those three men had the slightest desire to nullify the act. Each of the three said unqualifiedly that the bill would stand the constitutional test in that state. It was passed, and within six months, the superior court of the state declared the law unconstitutional and its decision was affirmed afterwards by the supreme court of the state."

Others who took part in this discussion were Miss Frances Ingram, of Kentucky; Mrs. M. J. Barnard, of Minnesota; Mr. John J. Ryder, of Nebraska; Factory Inspector Edgar T. Davies, Mr. Edward W Frost, Miss Jane Addams, Mrs. H. M. Van Der Vaart, Mrs. Florence Kelley and others.

Miss Ingram explained that Kentucky has the provision suggested and that the local committee was aided in drafting the law by the General Secretary of the National Committee.

Mr. Ryder objected to the amount of time consumed in the reading of papers and urged upon the Committee the importance of devoting a larger portion of the sessions to an open discussion from the floor.

Fourth Session.

At the fourth session, devoted to the subject, "Child Labor a Menace to the National Health," Dr. Frank Billings, of Chicago, presided. The papers by Dr. Woods Hutchinson, Dr. Albert H. Freiberg and Dr. James A. Britton appear in other parts of this volume.

Marked interest was shown in a paper by Dr. Thomas Morgan Rotch, of Cambridge, Mass., on "The Roentgen Ray as a Factor in Child Labor Reform." Dr. Rotch suggested the substitution for the chronological test of a physiological age based by means of the Roentgen Ray. He produced a number of charts, showing various stages in the physical development of the child and explained the tentative nature of his suggestion by the fact that investigation has only begun. His charts, showing the development of the wrist bones as affording a possible index of general physical development, led many members of the Committee to express the hope that this investigation, carried far enough, might offer a basis for conclusions leading to a more scientific classification of the physical fitness of children for the forms of employment in which they seek to engage. In discussing this address, Dr. Abt, of Chicago, said: "If this plan of undertaking to indicate the physical development of the child shall be developed into a system that is perfectly reliable and easily managed, as I hope and think it will be, I think that we will have a system by which we may have the proper indication of the development of the individual child. Dr. Rotch is doing a great work. It is necessarily pioneer work, and none of us are yet able to pass judgment upon it. But I predict for it a great and brilliant future."

The Chairman, DR. FRANK BILLINGS: "I was requested by the Secretary

to say a word to you this afternoon. I hesitated, but finally consented. Finally I was asked if I would act as Chairman, and as Chairman, make such remarks as I desired. Inasmuch as I have had considerable to do with the public affairs of the city, county and state within the last few years in reference especially to the care of dependents who suffer mentally and physically, I may be able to say something of practical interest to you.

"In the state institutions of Illinois to-day, there are about 17,000 inmates, and 11,000 of these are insane. Fifteen hundred of them are in the Institution for the Feeble Minded at Lincoln. The remainder of them come under general charities. In the almshouses of the state, outside of Cook County, there are about 700 dependents, and in Cook County about 2500; so that there are in round numbers about 20,000 dependents in the state. The cause of insanity and the causes of feeble mindedness have direct relation to delinquency in childhood, to child labor and to the laws which permit of marriage between individuals who are degenerates, often insane or feeble minded. While the question is far-reaching when we come to discuss it from the side of the cause, still it does bear a certain relation to juvenile delinquency and to child labor.

"It is unfortunate that neither the National Government nor many of the state governments have taken any definite and controlling action in reference to child delinquency and child labor. In our own, big, rich city, it was not until within the last few years that a Juvenile Court was established. Even with its establishment, there was no attempt made by those in authority to look into the physical or mental condition of the children brought to the court, and finally it devolved upon individuals and private corporations to take the matter up.

"The excellent paper you have heard this afternoon from Dr. Britton has been made possible by the work of the Children's Hospital Society, of Chicago, which has taken care of all the expenses of the Juvenile Court in relation to the care of the sick. Not only has it tended to the sick, but it has watched and cared for the children after leaving the hospital, and in many instances has furnished medicine, spectacles and other helps to those unable to obtain this sort of assistance from the county government. The county now sees the importance of the work and from this time on the expense of the care of these children who are usually physically sick and often suffer from some mental impairment, will be borne by the county.

"What Dr. Hutchinson says of the farm is true, and yet I think he over-drew the picture. I wonder if any of you have any idea of the number of agriculturists in America. Do you know that out of fifteen millions of votes cast in the last presidential election, about nine millions were cast by agriculturists? Do you know, therefore, that with five or six children in the family, how many there are of the children of the agriculturists? You see the number is enormous.

"I was brought up on a farm, too. I imagine Dr. Hutchinson was also, from what he said. I also taught school in the country, so that this gave me a wider acquaintance with the condition of children in the country.

There are many hardships and privations on the farm. There are cold winter mornings when the boy must get out of a warm bed, but it is a good warm bed, and he may be obliged to light the fire in the kitchen before he attends to the stock in the barn; and his fingers and his toes are chilled, and often frosted, as he performs his chores; but he returns to a warm kitchen and a plentiful breakfast. At the district school he is taught the simple rudiments of the three R's until he has mastered the simple books afforded him.

"Renan has said of the people of France that the scientists and the great men come from the peasantry. A common expression in our own country is that great and rich men pass from shirt sleeves to shirt sleeves in three generations. We may ask them why the country boy makes a good man. Because he may see the sky in the day with the sun passing from horizon to horizon. He may see the moon and the stars. He may see nature in the grass, in the trees and in the birds. He does not see them as an artist at the time, or he does not know that he sees them at all. But this sort of thing soaks into him. He cannot help it. And in spite of himself he is a good man, because he has communed with nature and has been down to Mother Earth. Why does this boy often develop when removed from such surroundings? Because the brain lies fallow.

"Now as to the work on the farm and its effect upon the child. Work does not hurt him because he does not work hard. He cannot, for he does not know how to work. It is true that his body grows physically tired; but he has good air, much sunshine and the food, while perhaps not well prepared, is given to him in plentiful amount and furnishes the proper nourishment for his growing tissues. You do not have to beg a boy or girl in the country to eat. The life they lead makes them hungry and hence they grow strong, sound bodies. In such a body there is a mind which may be developed. Those who have minds to observe, go to the city. If more of them went to the city, it would be better for all concerned.

"The city child needs just the environment of the country. There is a place for all of them on the farm. If, instead of erecting schools for them for manual labor in the city, they could be sent to the country and upon farms, I believe it would be the place for them. If their school opportunities were less there, so much the better in most instances. If the majority of them are well grounded in the three R's, they would be better off than with a smattering of a greater number of things and with an inability to write, read or use the elements of arithmetic. From what I have said you would infer, and I mean it should be so, that the farm is a good place on which a boy may grow up and it is also a good place for him to leave at a later date."

DR. HENRY BAIRD FAVILL, of Chicago: "From my point of view this program to-day is the sounding of a note of hope in the situation for the future, not so much because of its specific bearing upon the child problem, as because of the fact that it brings into proper relationship to all these questions the medical profession. It calls upon the medical profession to depart from its time honored and traditional duty of caring for those dis-

eased and to bring its contributions to the vast question of social improvement. The profession has in certain directions superior knowledge which should be expended, not upon what some call the narrow problems of sickness, but upon the constructive problems of health. For that reason I feel that not only is the community to be congratulated at the participation and contribution of the medical profession, but that the medical profession itself is to be congratulated at these evidences of inroads upon its traditional conservatism and its assumption of the moral obligation on the part of the individuals of the profession to contribute to every extent possible to these public problems.

"The question is one which appeals to us very strongly and oftentimes sentimentally, this question of the work of children. I am not going into any discussion now of the propriety or impropriety of child labor. That has been discussed and the situation is generally clear on that. Yet we are liable to drop into some misconceptions as to what we mean by child work and child play, and upon that score one could talk indefinitely. Assuming that child work, in the sense in which we are now using that term, is pernicious; what have we to say about child play as contra-distinguished from child work? Is it so beneficent; is it all good; is it the thing by which the child reaches its own best estate, whatever its possibilities may be?

"Now, that depends altogether upon circumstances. For children in the normal life of children in the country, in the small towns, in the town with open spaces, in the community with a simple life and simple conditions, the more or less primitive community of society, the play of the children is normal and to that extent is satisfactory. But the minute you come to consider urban conditions, you have to consider conditions abnormal to an inexpressible degree, and I am not so much disposed to draw the line in favor of the well-to-do as against the poor in this comparison.

"What happens to the poor child who is not allowed to work, who goes to school for a few hours of the day and then goes home to its more or less unhealthful habitation? What happens to that child for the rest of the day? Where does it play, how does it play, and what are the conditions of its play which tend to bring that thing which we are trying to bring to it when we shut it off from labor? I need not say to you, you know it perfectly well, there is nothing but emptiness for that child. It plays, to be sure, but what does it amount to? It must depend upon circumstances. But what worse off is that child, may I ask, than the child of the wealthy, in early years walking up and down the boulevard with a nurse and afterwards idling around in some sort of indifferent endeavor before he goes away to school? What does either of those children know of the matter that we are now talking about, the normal, healthy, joyous activities of children?

"Do you not see that at both extremes of this proposition we are missing the point? Therefore, we have to consider that there is a supplemental need, and this is the situation to put it in a nutshell: For every child we turn out of the workshop and every child we turn out of the school for many hours of freedom, we must provide suitable, we will say, playgrounds.

"There is the very crux of this proposition. We cannot conduct operations

of this kind one-sidedly and reach anywhere. We cannot, for example, put into effect child labor restriction laws without compulsory education laws, and we cannot put into effect child freedom laws without child amusement laws. Therefore, I think we may say that there is something more to consider in the question of child development than mere child freedom. That is the thing that I have in mind at this point.

"What do we mean by child development? What do we mean by the growth of a healthy body and presumably, under that condition, a healthy mind. Our whole notion on this subject of what is a healthy body is distorted. We are too apt to talk about a healthy body as though it was a question of a healthy anatomical body. The point of our mental system, as we Americans look for it to-day, is a great, big, overgrown and distorted product, and that is college athletics.

"What do I mean by that? That sounds radical and as though I had some sort of a grudge against college athletics. Not at all. Perfectly willing am I that college athletics should develop along the proper lines; that they should incorporate into their grossly distorted form of development all those individuals who are fit for it, who could stand the dangers involved in it. But I am now talking about the vast mass of boys, the mass of students who get no development at all; whose contribution to college athletics consists in a capacity to root in unison. Am I not right about that? Is not the whole mass of students engaged in holding up and applauding and backing in one way or another the few who have been able to stand the test and make good?

"The statement as to college athletics may be a little overstated. I will admit it is not quite a fair statement, but after all, it makes my point. What are we doing for the mass of students, the hundreds of students untrained, but interested in the ten students that can amount to anything in athletics? What are we doing with those thousand students? I want to say that I do not think there is one—well, there may be one per cent.—there is not five per cent. of the students of a college who could not be materially improved in physique and consequently in health by a development of physical powers under intelligent methods.

"All colleges have gymnasiums, some of them have more or less compulsory gymnastics, but I assure you gymnastics are not looked upon as a thing of real development in any college or school, and the consequence is that we have the mass undeveloped physically, and you would find it very strongly so if you should carefully examine into it. That serves only to make this point that I want to make, that we must bring up our children, if we are going to bring them up healthy, we must bring them up with the facilities for development, not of muscle, which is the coarsest kind of development, but of nimbleness, of activity, of respiration, quickness and accuracy, and all the things that go to make up the idea of the gymnastic ideal as against the athletic ideal.

"That is the crux of this whole developmental question and it is just the same for adults as it is for children, but the opportunities for results in children are incomparably greater than in adults. Therefore, I am going to

simply leave that proposition as I make it and say that we have got to push our lines of child culture and child succor together, and bring to bear upon the child proposition the developmental proposition of intelligence upon all the lines in order to make the freedom which we are trying to secure for children effective and productive.

"I do not know that I shall be called upon to speak again to-day, and I also hope not for your sake, and therefore I am going to make no allusions to the things that I have wanted to say in regard to Doctor Rotch's contribution, which will be very superior and impressive, but the point that I want to add is to say simply this one word: We all believe that the co-operation and co-ordination of the forces working to the same end and through various channels is absolutely necessary in order to get results. Things will concentrate at a focus or they will dissipate into thin air according to the co-ordination and concentration of machinery.

After thinking it all over, after arguing the question in all its bearings, the people who know most about this—and this does not include myself, for I do not know much about it, but the people that do know most about it, have concluded that a bureau of child study, of child interest, of child investigation or child development, whatever you choose to call it, as a central federal matter, having its influence—I won't say its authority—having its influence over the whole country—is the only rational procedure upon which the hope of any real progress in this direction rests."

Fifth Session.

At the fifth session, held in Orchestra Hall, Mr. Isaac N. Seligman, presided, and papers were presented by Hon. Andrew S. Draper, Mr. Howell Cheney, Mrs. Florence Kelley and Dr. Albert H. Freiberg. These papers appear under their titles in this volume.

Sixth Session.

The sixth session, held in the Banquet Room of the Auditorium Hotel, was devoted to a discussion of the problems of factory inspection. Mr. Everett W. Lord presided, and papers were read by Hon. Edgar T. Davies, of Illinois; Hon. John Williams, of New York; Miss Jean M. Gordon, of Louisiana, and Mr. Edwin W. De Leon, of New York. These papers, which are reprinted in full in this volume, were followed by discussions in which many of the specific problems of factory inspection were considered. Added to the exhibit of the work of the National Child Labor Committee, there was displayed, at this session, an exhibit of the charts and office file system of the Illinois Department of Factory Inspection.

Sixth Session—Second Section.

Because of the limited time and the great interest expressed by many delegates in a discussion of the problems of street trading, a special section on Saturday morning was devoted to this discussion. Mr. Edward W. Frost, of Milwaukee, presided, opening the meeting with the following remarks:

"In Wisconsin we have no street trades act. We have in our child labor

law an exemption of newsboys at certain hours, but without prescribing any educational or other requirements, and permitting them to sell papers. By a sort of tacit action the newsboys have never been considered regularly under the child labor law. But this exemption is one of those things every one of us dislikes and there is always danger in an exemption of an attack in the courts on the ground of special legislation. Therefore it is our feeling that we should take the newsboy clause from the child labor act, and in its place have a newsboys' and street trades' act.

"In Milwaukee we have the newsboys, boys who distribute handbills, and bootblacks who, save as the Juvenile Court or the compulsory education people follow them up, are not touched by legislation. We want, if possible, to find a way to regulate all this street trade for boys.

"In the National Consumers' League Handbook there is a model street trades law, and I suppose the discussion might properly take this form. What state, represented here, has a good street trades act which is working well, or what state is represented in which there is about to be introduced a good streets trades act, and what is the general outlook for it?

"Mr. Hall represents a state with a good street trades law, and I suggest that he tell us about it."

MR. GEORGE A. HALL, Secretary of the New York Child Labor Committee: "Our street trades law applies only to the sale of newspapers, periodicals and magazines in cities of the first and second class. It does not apply to boys who may be peddlers, distribute handbills, or handle other articles referred to. In fact, only a year ago the 'magazine and periodical' clause was inserted in order to include boys selling the *Saturday Evening Post*.

"In the first attempt in 1903, the enforcement of this act was placed with the police authorities in each locality. It was soon found that such a provision was absolutely futile. Not only were they not interested in it, but they could not be made to see its importance, or to do anything about it. After a strenuous effort, a small squad of four men in plain clothes was secured to go about and do a little enforcement, but even they found on an average only two boys a day who were violating the law in the big city of New York, although our Secretary found thirty in one afternoon. In 1907, the law was amended, and its enforcement put in the school authorities' hands, in addition to the police. The school people asked that the enforcement should not be taken entirely from the police, because they might want to call on them for aid. The present system of enforcement in our state is therefore by the police and the attendance officers. It has not progressed greatly, so far as adequate enforcement is concerned. I think in only three of the nine cities in which the law applies, has there been any serious attempt to enforce it. In New York, Rochester and Troy, some fair efforts have been made in this direction, largely through the efforts of the Committees and other interested people who believe in the law.

"In New York City our Committee secured and exhibited twenty-five large pictures which showed the non-enforcement of the law—young boys selling at three o'clock in the morning, for example. This aroused the officials to action and something was accomplished.

"But first, in order to get the situation cleaned up, the superintendent of schools assigned fifty of the seventy-five attendance officers to that one task during two weeks of the school term beginning last September. The men were divided in day and night squads and covered the entire five boroughs of the city. The public had a right to expect them to accomplish something; they would be a pretty poor lot of men if they did not do something with so large a number. They did clean up the situation by explaining to the boys that they must have badges, telling them where to get them, so that after two weeks' work by those fifty men, one began to see badges blossoming out nearly all over the city. But that was not enough.

"An effort was then made to secure the co-operation of the school authorities to make this work permanent. As a result, they now have a squad of four men giving their entire time to it. They go on at three in the afternoon and work until eleven, being on duty during the busiest time of newspaper selling. They move about to different centers and try to cover the different boroughs in the course of the week. There has been considerable improvement since they began, though not all we would like to see.

"In Rochester there has also been a serious attempt to enforce the law. That is again through the personal efforts of the women and others interested in the subject. By going to the President of the Board of Education and the other school officials, they have brought home the importance of the subject and have gotten them to take up the subject seriously, with the result that badges are being pretty generally worn in Rochester and also in Troy.

"The following are, in my judgment, the weak points in the New York law: The minimum age of ten is absolutely bad; it should be at least twelve. Our Committee stands for the twelve-year age limit. The night-closing regulation is another bad feature. I can see no reason why boys should be permitted to work on the street until ten o'clock when the law requires boys in stores to stop at seven and in factories at five. We urge at least an eight or nine o'clock closing hour.

"The penalty clause is perhaps the weakest feature in the law. It was drawn in conference with some of the judges of the Special Sessions Court in our city, but it has proved ineffective. It provides that for violation, the boy may be arrested and brought to the Children's Court and dealt with according to law—whatever that may mean. It permits the court to commit the boy to an institution of the faith of its parents. Of course, we do not favor the commitment of a child who, for instance, leaves his badge at home. But some adequate penalty is greatly needed. We should like a penalty that would make it possible to fine the parents for the delinquency of the child. That cannot be done under the present New York law, because the statute does not contain a delinquency clause by which the parents can be reached, as in some other states. We are working toward that and hope to get such a provision in the law.

"In the distribution of handbills, I think our law would hold the employer under the provision regarding children working in mercantile and other establishments. By that law, children under sixteen shall not be employed, without a certificate, in the distribution or transmission of goods

or messages. However, I do not know of any attempt to reach them in that particular way.

"The law requires the boy to wear a badge in a conspicuous place, and here we find a great difficulty. The boys often claim, as a reason for concealing them, that the older boys snatch them away to 'put them out of business.' Sometimes we have to almost undress a boy to find where the badge is. Perhaps another real reason for concealing the badge is that the boys like to give a dime novel effect by suddenly flashing the badge from somewhere underneath. In order to aid in determining whether the proper badge is being worn, the color of the insert card is changed every year.

"Our law also fails to require proof of the age of newsboys. In New York, the parent merely signs an application blank showing approval, but it does not prove the boy's age. I believe a provision should be added requiring the same documentary evidence as is required for other forms of employment."

A delegate asked if the law applied to newsgirls, and Mr. Hall replied that "newsgirls are absolutely prohibited under sixteen," and also in Massachusetts.

As to the question of "contributing to the delinquency of children," the Chairman said: "I have grave doubts whether there could be a conviction for permitting children to sell newspapers. We have that law in Wisconsin, but it is not easy to enforce. We took the law largely from Denver, and have had several convictions under it, but they have to be pretty strong cases, as where little girls were permitted in hotels with men, or allowed in saloons under immoral conditions. I do not believe that, in ordinary cases, the court would enforce that delinquency law against a father if he permitted a child to sell papers up to ten o'clock at night. I think the Massachusetts plan is the one we ought to follow."

The issuance of badges was discussed, Mr. Hall explaining that in New York City there are twenty-six district superintendents who issue them. Mr. Frost explained the Massachusetts and New York laws and Mrs. E. J. Bissell, of Rochester, N. Y., said: "A good point in the Massachusetts law is that requiring the badge to be worn on the right arm. We have had considerable trouble and are now changing the badges, slipping a strap through and strapping it to the right arm." (The method employed in English cities.—Ed.)

MRS. E. GAYLORD HOLT, Grand Rapids, Mich: "We have no street trades law in Michigan, though we have tried hard to get something done. Mr. Lovejoy has advised that perhaps a city ordinance is better than a state law, because the state law would be hard to enforce. We have in Grand Rapids, an evening press association, which is doing a great deal for the newsboys, giving the Sunday afternoon pleasant hour and things of that sort, which are very helpful to the boys, and such work has given the idea that we do not need an ordinance in our city when the conditions are apparently so good. They are certainly doing much good to the boys, but we have as many as 250 boys under ten years old selling papers, and some not more than five or six years old.

"Last year we had a little boy of six years old killed by a street car at night, and we know of other bad things. There are a few little newsgirls, perhaps a dozen in the city, and some of them are down on Market street, a low part of the city, standing by saloon doors to sell their papers. I would like a little light on what we can do by a city ordinance or otherwise."

THE CHAIR: "It would be better to try to get a state law along the lines of the New York law, applying to cities of the first, second and third class. It is hard to pass such a law through a city council, and even if it were passed, it would be put in the hands of the local police. You can bring more pressure to bear in the legislature. Mr. Hall has suggested two or three changes in the New York law. We would probably agree as to age limits, the prohibition of young newsgirls and the limitation as to hours, but what shall be the penalty? Shall the child be punished, as in Massachusetts, or can a law be framed that will reach the parent, or the newspapers, or both?"

Mr. Hall was asked if the newspapers oppose the law in New York, and he replied that, when the bill was introduced there was a little opposition, but of no account, and that since the law is in force there is no opposition on their part. In New York, there is no way of reaching the newspaper that employs a boy contrary to law. It is held that the child is his own employer.

JULIUS F. WENGIERSKI, of Rockford, Ill.: "About two years ago, when I was probation officer here in the Juvenile Court, I especially looked up the night newspaper trade. A conference was sought with the newspaper men, but none of them came. We had hoped they would help us solve the problem. We thought that, with their help, we should not have much trouble with the boys at night. Of course, when they did not show up, it meant that we had to do the best we could. I stayed out at night and picked up boys and girls on the streets, found where they lived and sent them home. Then, through the co-operation of the relief and aid societies and partly through the co-operation of the Bureau of Charities, I got a full report of the home conditions of these children.

"This report was given me within a few days after I had picked up the child. At the time of my picking up a child, I would tell him that he was not to be out on the street alone at night. I had no law to back me, but the moral law and the real purpose in finding out the home condition was to find out whether these children were really dependent.

"Out of about seventy-five cases investigated, we found there were only two cases of dependency, and Mr. Kingsley, of the Relief and Aid Society, found work for one woman who needed help, and in another case where a boy who was employed had to help support the family, another position was secured, whereby he would not have to work on the streets at night.

"We went further. I tried to get Mr. Davies, the factory inspector, interested. I wrote him a letter. He forwarded that letter to the attorney general to get an opinion regarding the child labor law. Of course, the opinion was that a boy that was selling newspapers was not in the relation to the newspapers as an employee, but was really a merchant. He made a contract to purchase from the newspapers and he could sell these papers.

"We ascertained that some of these papers were being sold on commission. He said, notwithstanding that fact, they were still merchants, so we were handicapped all around. We could not do anything. We had no law to back us, with the exception of the Juvenile Court law, which is the same as in New York, and no children under ten years are allowed to peddle anything at any time. But the children between ten and sixteen we were after especially.

"But we did go in one case to the extreme. There were three little boys, ranging from eight to twelve, whom I picked up several times here in the loop district and sent them home every time. Upon an investigation of the home conditions, it was found that the father was working and was earning five dollars a day, and they owned the property they were living in, that these boys were earning on an average fifteen dollars a week peddling papers down town. We also had an investigation made of their school records and found they were truants. They were at school about five days of the month, and when there, they usually slept most of the day as they naturally would after being out until two or three in the morning. We arrested this father and had him tried by one of the municipal judges. Fortunately, the judge saw the case as we did and fined the man two hundred dollars for contributing to the delinquency of these boys; but he suspended the fine on condition that the father, in the future, would keep the boys off the streets. I never saw those boys on the street again.

"I wrote a complete report of this work and gave it to Judge Mack and also to Mr. Kingsley, and the result was that we now have in Chicago an officer of the police department especially delegated to this work between six and twelve. Those are his regular hours. Of course, all that he has to back him is that he is a police officer. He has no law, except the Juvenile Court law, which gives him the privilege of keeping children ten years old and under off the streets."

MRS. FLORENCE KELLEY: "Last night I saw a little girl peddle just around the corner from our meeting. In New York that would be a misdemeanor and the child would be taken up and the parents fined."

MR. WENGIERSKI: "In that case we would find the conditions at home and learn whether the child is a dependent or a delinquent, and charge the parents with contributing to the one or the other."

MRS. KELLEY: "But in New York, the doing of it is a misdemeanor. The peddling itself is a delinquency. We do not want peddlers under sixteen on the streets."

MISS McDOWELL, Chicago University Settlement: "I was astounded to find the other day that my newspaper comes to me, in the morning, because two little boys, one twelve and the other thirteen, get the paper at half-past two at night at the corner of 47th and and Halsted streets. Those little boys, who go to school, carry papers around so that we get them in the morning at four o'clock, all the year around. They are working for a man with whom we contract for our newspapers, and I wish, in some way, we could get at that question.

"Then there is the question of the little girl selling newspapers, I was

quite shocked in St. Louis twice this fall to find a girl five or six years of age, selling newspapers just as I came up from the big station there; in the worst part of the town, after dark. There is a little girl between six and seven years of age selling papers every morning at ten o'clock in front of one of our great bank buildings right here on Monroe and Wabash streets, so it does seem as though we ought to get at this. We cannot touch the newspapers. We hear a great deal of sentimental talk about newsboys' societies doing so much for newsboys, but they do not seem to care anything for work of this kind."

MRS. E. J. BISSELL, Rochester, N. Y.: "Rochester is a city of 200,000, with 700 newsboys. We have this law in New York state, and up to a year ago, the board of education did not even know they were responsible for issuing the badges. We found perhaps one boy in thirty, in some cases one in fifty, with a badge. The Committee on Child Labor visited first the board of Education and had a serious talk. The board promised to co-operate with the police commissioner or to get his assistance.

"The policemen themselves had had a fee of twenty-five cents for issuing every badge, so they were disposed to give no help, and the only way even under our good law was through a mass meeting called for another purpose, a mass meeting of about 1200 women. The subject was brought up, the city was districted, each woman was asked to consider herself a member of a Vigilance Committee in her hours of shopping. Every woman whose business took her to the city at seven or eight o'clock in the morning was asked to co-operate and to follow out one little plan. The moment a boy was found, or two boys, in some cases there would be five before you would walk a hundred feet, that woman would get to the nearest telephone and say to the board of education and the police department, I found so many boys at such an hour at such a place.

"It took but five days to send in such a fire to both these departments that the school superintendent and then the president of the board of education called up the Chairman of this Committee and wanted to know what they could do in the matter, and arranged for a meeting.

"We had our meeting and called attention to the fact that badges should be issued, and they asked for two weeks in which to secure new badges and enforce the law, and of course, for two weeks we stopped telephoning.

"At the end of two weeks the badges came and the superintendent had, in the meantime, called up each principal. The principal was to send his boys desiring badges to the board of education. The truant officer came there, also the Chairman of the Child Labor Committee, and each child had an ordinary little card which had to be signed, and the badges were issued and the children were instructed to wear them. For possibly three or four weeks we saw a great many badges on the streets, and then the badges disappeared gradually. We felt we ought to begin our campaign over again. We found one little boy four times in ten days, a child of seven selling papers and pleading for money—he had 'lost twenty-five cents,' and, of course, he was obtaining money.

"We secured the help of the Society for the Prevention of Cruelty to Children, and we made this a test matter. As the outgrowth, the board of education appointed one truant officer, the commissioner of police appointed another policeman and he then districted the city, and those two men were required to report every child found. In the new campaign, they took away, in three days, fifty badges from boys. No badge was reissued until the parents, at least one parent, accompanied that child back to the office of the board of education. That had a very good effect on the child as well as on the parent. Many of the men became interested and to-day I think we have an unusual city.

"Just before I left I had a report from a business man, saying that he had one serious charge to make against the Child Labor Committee of Rochester. He said that where formerly anyone, at seven o'clock or six o'clock in the morning, could find any number of small boys selling papers; now he had to walk two blocks before he could get one at an early hour."

THE CHAIR: "To rectify such conditions as these, I understand that the New York and Massachusetts laws combined, seem to make the best basis for a law at this time. A state law, when limited to the larger cities as it is proper to do in most states, is probably better than to attempt to secure the passage of an ordinance by the common council of a city. First, the child must be directly proceeded against, however uncomfortable that may be to many of us in many cases, but the child labor laws do not reach the employer save when the direct relation of employer and employee can be established.

"A child labor law, or a law amending it, should provide strictly against the employment of children to sell newspapers, but the merchant newsboy, as has been said, is a factor that must be watched very carefully. He can only be reached, it would seem to me, through the Juvenile Court and the taking away of his badge. I personally greatly object to the fining of a little child. I am in favor of a penalty, if it could be drawn in legal and practical form, by which we could bring in the father and fine him. The statutes for contributing to delinquency are good, and in very strong cases might be effectual."

MISS JANE ADDAMS, Hull House: "I think about six years ago we made an investigation of a thousand newsboys within twenty-eight hours. We tried to do it in twenty-four hours, and at least eight hundred were taken in twenty-four hours, and two hundred more afterwards. The one thousand boys were very carefully questioned; we found exactly what made them leave school, the circumstances of their family, how much their earnings were needed, their truancy record and all the rest. It was considered, I think, a very good piece of work.

"The conclusion we reached was that there was no law practically designed to reach such a situation. A newsboy is a merchant and does not come within the child labor regulations. This matter was taken before the publishers' association here with the hope that with the example of the New York and Boston newspapers before them, we might be able to secure some

favorable action. But the publishers' association here put us off, I regret to state, and did not finally take any action in the matter at all. So far, we have been unable to secure any legislative action on the subject. It is a very disgraceful situation, I think, for Chicago to be placed in while the Illinois child labor law is so good. The City of Chicago is a little careless, if not recreant, towards the children who are not reached by the operation of the state law."

A DELEGATE: "Mr. Chairman, I was just wondering if it would be practical for this meeting to gather the main points of the law that we want to work for."

MRS. FLORENCE KELLEY: "I want to say a word as to the New York law. I think perhaps we are all saying, with reference to street trades, a great deal more than we need. It is all pure nonsense to say that a little newsboy who is selling papers is doing anything essentially different from a peddler who is selling chewing gum. We have in New York, under the penal code enforced by the Gerry Society, a provision that no girl under the age of sixteen can peddle anything on the street. A girl cannot sell violets, she cannot sell chewing gum or anything else; and the penalty for violation is a very stringent penalty and is very rigorously enforced. We do not know of such a thing as a girl under sixteen years of age peddling. There is no essential difference between selling information, selling papers and selling chewing gum. The trouble is we are afraid of the newspapers. We are not afraid of the chewing gum manufacturer and the other people who sell goods to the children to sell on the streets, but we are afraid of the newspapers, and so we have worked out a combination that a newsboy is a merchant, which is simply ridiculous. Is a newspaper merchant different from a chewing gum merchant? He is not. He is just a little boy under sixteen years old.

"The largest city in this country has stopped absolutely peddling on its streets for girls under sixteen. It has enforced it as to girls. It is enforced almost absolutely with regard to peddling other things by boys, but there was a little winking at it during the panic. There were a few children peddling things around at that time.

"There is no excuse whatever for our keeping up this fiction as to 'merchants' any longer; let us tell the truth. Let us say that we know that we can stop girls from selling anything until they are sixteen years old. We know that we can stop boys from selling all other things, and how absurd it is to say that we cannot stop them from selling newspapers! There is a very large body of convalescent tuberculosis patients who would be glad to enter the field in that work of selling papers if they did not have the odious competition of these little boys. There is a large number of one-legged and one-armed men in New York who do now have stands. Sometimes three or four or five of them together, of whom I know, can be found at different times at the corner of Twenty-third street and Fourth avenue selling papers. If we could prevent children under sixteen years of age from selling papers as we keep them from selling other things, it would

be a perfect Godsend to those handicapped men, and the men who, lacking an arm or a leg, can perfectly well tend a stand.

"Any suggestion that we make as to what ought to be done about newsboys I think should carry with it a very urgent request that from now on the juvenile courts make an effort to card their records. There is not a Juvenile Court in this country which has any adequate record whatever of the previous occupation of the children who come before it. I know whereof I speak, because I have met a majority of the judges and the probation officers. If we could get trustworthy information as to the previous life of the children who come into the Juvenile Court, I do not think it would take us three years after we had such records printed until we had brought about a marked improvement in the employment of children."

MISS McDOWELL: "I would like to explain that we do not make any difference between the peddlers of newspapers and of chewing gum in Chicago. We make no difference between the chewing gum merchant and the newspaper merchant. We have no such provision in our law as you have in New York. We gave the matter up, not because we were afraid of the newspapers, but because we could not proceed without the help of the newspapers."

As to the proper age limit for street trading, there was a difference of opinion. It was agreed that no girls under sixteen years should be allowed to peddle anything on the streets. The age for boys, Mr. Hall believed, should be twelve years instead of ten. Mrs. Kelley urged that it should be sixteen. She said: "When you get your Juvenile Court records, you will find it just as bad for boys as it is for girls."

It was agreed that a careful educational test should be required, thus making it possible to determine more accurately the effects of street trading upon the school record of the children.

The question of penalties proved a difficult one. Mr. Hall severely criticised the New York law which is preposterous in its penalty clause. To the question why the newspapers cannot be held responsible, the Chair said: "You must remember that we are compelled to work along certain legal lines. You must establish the relation between the newspaper and the boy selling papers, and in most cases you cannot do that. You can forbid the boy from doing something which your law defines, but you cannot touch the newspaper unless you can show the connection."

Mrs. Kelley suggested that the father of the child should be brought into court and dealt with under a quasi-criminal statute.

MRS. BISSELL: "Someone has suggested that they fine the parent a dollar. In Manchester, England, where I looked this matter up last spring, I found that they often have to fine the parent a dollar. That is the minimum fine, the maximum being five. They found it worked a very great effect. They also prohibit selling papers within a mile of the city center."

E. N. CLOPPER, Cincinnati: "In discussing street trades, we ought not to confine ourselves too strictly to newsboys, for there are so many other kinds of street trades that I think they ought to be considered. There are many children who are employed in the markets of our large cities and they

work just as hard as the newsboys and are exposed to just the same influences. There are boys employed by the postmasters of the cities to deliver special delivery letters, who work until ten o'clock at night, and they do not have any time except some ten minutes for lunch between three o'clock in the afternoon and ten o'clock at night. It may be that the postmaster even is violating the child labor law in getting those boys. There are so many children in America, particularly children of foreign parents, who are selling a great variety of different things that any measure adopted along this line should include the means of getting at those children also."

Seventh Session.

The seventh and closing session of the conference was held in the banquet hall of the Auditorium Hotel on Saturday afternoon. Mr. Lovejoy, General Secretary of the National Child Labor Committee, presided. Papers were presented by Mr. William E. Harmon, of New York; Hon. James R. McDowell, of Mississippi, and Mr. Charles W. McGinnis, of Wheeling, W. Va. The papers of Mr. Harmon and Senator McDowell appear in other parts of this volume. Mr. McGinniss, in discussing from his practical experience, "Children in Dangerous Occupations," said:

"I remember my first day at work. I was ten years old. I cried all day, wondering why I should be taken out of school and put to work. I had the best mother one could desire. I was not old enough to understand the conditions that made my mother and other poor mothers send their little boys to factories and mills, too young to guard against injury from the cruel machinery.

"While I worked during the first year, I one day heard the scream of a boy who had been a schoolmate of mine, but was now also working in the factory. Looking toward him I saw one of the cruel tack-making machines' gear wheels chewing the skin and flesh off his chest. I ran toward him, keeping my eyes on him the while. The gear wheels were now twisting him around, now chewing the flesh and skin off his arm, and by the time I reached him had reached his back. He lay in bed for six months trying to regain what he had lost. As long as I knew him afterwards, he was never strong.

"One day I almost lost some of my fingers in the same kind of gear wheels. I was cleaning my machine with a piece of waste. The gear wheels caught the waste and snatched it from my hand. I should have been dragged into the wheels had I tried to hold it. But some unseen power seemed to save me.

"No matter how many times a boy has a close escape from injury, he soon forgets about it and becomes careless again. His mind is not mature enough to comprehend the dangers that surround him. Just as a child in the light of day has no regard for the fear that comes to him at night in the dark, the boy in the factory, at work at his machine, gives no thought to the possible injury that will follow his play or inattention. I have had persons working for me who were hurt three times, and I have known of others who were hurt four or five times.

"Another little boy working in the factory with me—he was about eleven or twelve years old—started to clean his machine before the time appointed. He was not old enough to realize why rules required that no cleaning be done while the machinery was in motion. The waste caught in the gear wheels, and his index finger was crushed off close to his hand. I could mention from one to two hundred other accidents, mostly through carelessness on the part of those not old enough to comprehend the rules of factories and mills. In Milwaukee I saw a little boy lose three fingers at the second joint of his right hand. He was about twelve or thirteen years old and worked in a mill. It was his duty to stand at the back of a press and sort the elbow blanks cut from the small sheet of iron fed into the press by an older boy standing in front of it. A piece of iron was not released in the usual way, and without stopping to realize the danger, the boy put his hand under the die, to extract it. The larger boy continued in his work at the other side, not knowing of the other's attempt to dislodge the iron. He put the press through its regular operation—and with the next 'elbow' there were cut off three fingers of the little hand.

"A girl who is now working in our factory worked previously in a glass factory in West Virginia, and had the ends of two fingers cut off when she was twelve years old. She relates that one day she put her arm under one of the big dies, while she had her foot on the tredle, just to 'show off' to another girl. I have seen young boys trying to see how close they could hold their fingers to the die without having them cut off. Older boys never think of taking such risks.

"I do not believe it pays to hire children. My records show that I can get a better output, with less percentage of bad work, from employees over sixteen. Under that age, they require close supervision both in attentiveness to duty as well as in the kind of work produced. This means the loss of the foreman's time and temper, the output of the machine is reduced, orders are delayed, and the work of other employees is held back. I have been foreman in five different factories. When I took charge there were always better results than before I came. There was quicker work done and there was a smaller percentage of bad work—for I did not hire children to do the work.

"There are exceptions. Some boys are so strong physically, so full of life, they rush right into danger, in their heedlessness. Where a boy is alert and not strong physically, he sometimes comes to harm in dangerous work where physical strength might save him. So you see, the boy with fair chance is he who is strong both physically and mentally. Only a small percentage of boys are fortunate enough to have both qualities. The large percentage, failing in one or the other, is in need of protection.

"At the Wheeling Stamping Company, I have instructions to keep the wages of employees at a high standard. In our press department we have a system of piece work by which each employee—whether girl or boy or woman or man—earns the same wage per piece. All have the same chance—it is not the case of having a boy do a man's work at a boy's price."

These papers were followed by a general discussion on various topics

of interest relating to the conference. The Chairman said: "I regret, in the deliberations of the Chicago meeting, that our program has been so exceedingly full with the excellent papers, that we have had altogether too little time for a floor discussion of the various problems presented. People have come from all parts of the country with reports from their state committees covering a wide range of topics and many phases of experience. We ought to have had all of them read and each one discussed. Those who have had no opportunity to read their reports are requested to send them at an early date for publication in the proceedings of this meeting."

Under the two-minute rule, the Chair then gave an opportunity for general discussion. Mr. Frost was requested to refer again to the subject of vacation permits, previously discussed.

MR. GEBSON, of Omaha: "We grant certificates under a ruling of our county attorney and we are able to call back the certificate at any time. When school convenes, we take back the certificates and send the children back to school. It is done under the regular certificate plan, except we can call them back at any time."

MISS TODD, Factory Inspection Department, Illinois: "I think that after all is done and said, there is an increment of the people who are doing the work, the people who are going through the factories and inspecting them, who get impressions that are infinitely valuable, and we ought to get from them the contribution of their impressions because they are the people who know certain things that nobody else knows. They ought to get up and state those things as nobody else can state them."

"What I wish to say is this: From an experience of two years in Illinois, it is apparent to me that we must have some humanizing social influence to go with our work. For instance, we go into a factory and find that a child is working ten hours a day in violation of the law, as the child is fifteen and can only work eight hours. The employer is brought into court and that child is thrown out of work and we never know what becomes of the child or its family. A few months ago I found a child that had been thrown out of work where it was getting six dollars a week, and I found that child working at home sewing; it was the only support of the family and I had put the child out of this position.

"In our work we see constantly the greatest misery and suffering and we simply go on like a snow plow and enforce the law. Those children come from parents either very poor or very ignorant, they go out of the school at fourteen and the teachers do not know anything about them. They come from the worst and most poverty stricken homes, and there is no social influence whatever for them. Therefore, I feel that the work of factory inspection in Illinois should be supplemented by a Committee on child labor; to which we, when we see these heart-breaking instances of wretchedness, sickness and poverty and misery, can give information so that the cases will be followed up and the human element will enter into the factory inspection. We can not do it; it is not our business to do it. If you people could see what we factory inspectors see as we go through the factories, you would realize how absolutely necessary it is to bring the social humanizing element

into the lives of these children. The settlements do not get them, the schools do not know anything about them, they are simply segregated in wretched homes and in these great factories that exploit them for their profits. The parents are poor and can do nothing for them and we can do nothing for them.

"We must enforce the law, but we must also have this humanizing element, and I am convinced that we must supplement our work by something on the humane and social element side."

MRS. FLORENCE KELLEY: "I want to speak a word on that subject because Miss Todd has now, after fifteen years, expressed the same old need that we felt in the first month after we went to work as inspectors in Illinois, and felt increasingly every month that we worked throughout the four years of our term; and which we feel in New York now with every improvement in the law and in its enforcement. The better the law and the better the enforcement and the longer the children are kept out of work, and the longer they are kept in school, the greater the need not only of scholarships to eke out what the child would have earned, but the greater the need of another entirely different function also to be performed by a child labor committee.

"Many children between fourteen and sixteen years old, who need scholarships because they have not finished their school work, need that help and have failed in that work because the community in which they live slipped the first stitch when the children failed to make their first promotion away down in the first grade of the public school. Who are the children who need scholarships? Who are the children who come into the juvenile court as all sorts of delinquents between the ages of ten and sixteen years? They are very largely the discouraged school children, the children who are older than their class, taller than their class, ashamed to be in the class to which they have to be sent back when they fail of promotion. They are the children, perhaps, who were sent out of school by the school doctor, quarantined because there was scarlet fever or something else at home; who thus lost their first promotion and stayed two years in the first grade and fell behind and were ashamed and again spent two years in the second grade. Thus we have a mass of children, who, when they ought to be in the eighth grade are in the fifth, fourth or third. A large part of the children who are not equipped to go to work when the law allows them to work, are these who needed just a little watching and help and pushing forward at the beginning of the story.

"We never shall deal wisely with our working children until we follow up those who get belated early in their school life, those who are so cruelly on the street at work when they ought to be in the early grades of school. There is not an honest factory inspector or an honest truant officer in this country who does not feel this need, and there are sadly few really patiently-working committees backing up the factory inspectors and the truant officers with this much-needed work.

"While I am saying the better the law and the better the enforcement, the greater the need of this auxiliary work with the school children in the

earliest grades, I want to put in a word on behalf of the children for whom here in Chicago, the second city of this Republic, there is no effective protection. On the way to our meeting last night I saw on the street a most miserable little chewing gum peddler. I do not think he was twelve years old. I am told there is no law which could banish him from the streets. He could not have worked in a factory so late; he could not have worked in a store so late. But there he was out in the rain in Van Buren Street in a part of this city which is not salubrious for little boys at night; there he was working, and it was nobody's business so far as I could learn to look after him.

"Why do we shirk the street children? Why don't we give exactly the same protection to children in the street trades that we give to those in the factory trades and the stores, and to the messenger boys? Surely the requirements ought to be made the same for employment in all occupations. There are no other occupations so bad for the children as the street trades, including the messenger service. As I understand it, Illinois does give the messenger boys now the same care that it gives to the cash children and the factory children. But we keep up a queer fiction that a child who sells things on the street differs in some way from the child who works where things are sold in a store. Let us clear our minds up about that, make it plain to ourselves that it makes no difference to a child whether he sells goods in a store or papers on the street, except that work on the street is worse for him rather than better.

"Let us state the fact that most of us are afraid of the newspapers; we do not try to get the same legislation for the protection of the newsboys that we have for the factory children and the store children because we do not believe that the newspapers will help us. The factory employers were not all like Mr. McGinniss; they did not all help us get the factory laws. They were not all like our New York manufacturer who is the largest contributor to our scholarships. The newspapers may not all be like Mr. McGinniss or Mr. Arnstein, but let us get clearly in our minds that nobody is so directly headed for the juvenile court as the newsboy, and let us get exactly the same protection for the newsboys that we have for other children. Since the Illinois law is the second best in the country, why don't we, when we get this new child labor committee of which Mr. Lovejoy speaks,—take for its first task getting the best laws in the country for the newsboys, just as Illinois set the standard for the whole country when it was the first state to establish the eight hours day for the older children?"

THE CHAIR: "This is a most significant appeal from Miss Todd, who represents the State Department of Factory Inspection of Illinois, and brings to us forcibly one of the most important functions of such committees as this. While I have no authority to do so, I would suggest that, as one of the immediate results of this meeting, the present small Child Labor Committee known as the Hull House Committee, be enlarged to become an Illinois Child Labor Committee, and I hereby appoint Miss Jane Addams and Mrs. H. M. Van Der Vaart, the Chairman and Secretary of the present Committee, and

Miss Todd, as a provisional Committee of three to get together at the earliest opportunity and formulate the plan and personnel of such a committee as I have suggested."

MR. JULIUS F. WENGIERSKI, of Rockford, Ill.: "All of the Chicago papers, especially the Sunday papers, distribute their Sunday papers Saturday night. This means that every newsboy peddling Sunday papers has to stay up all night Saturday in order that you may get your Sunday morning paper. The newspapers should be educated. Let us not stop for a moment in our efforts to make the newspapers realize that they are robbing the youth, robbing our future citizenship. They are bringing out a good deal of publicity, but they are not telling us what they are doing themselves in robbing the future public. The newspapers will not do this thing until we demand it. If we do not get our newspapers on time we find fault with the newspapers. Let us say to them that we would be willing to get these papers a little later if necessary. Let us say that we would much rather have men deliver them than boys. The newspapers will do it if we demand it."

The Chairman then called upon Mr. John M. Glenn to speak briefly of the importance of systematic and scientific investigation.

MR. GLENN: "Some one has said very appropriately that what we want most is not investigation, but doing things. I think the answer is that we want the facts before we can get other people to do things. You cannot get the newspapers, who are the greatest educators of the people, to work for you until you get your evidence very strongly together and have them present it to the public. I think whatever we do in the way of investigation, we should do very thoroughly. Unless we do that, it sets us back rather than ahead."

MISS McDOWELL: "I think we have enough facts on the newspaper question now. What we need is money to popularize those facts until we reach the common people who read the newspapers and are able to let the reading public know how they get their papers, we cannot do very much. When that information is brought home to them, something will be done."

MISS TODD: "That is why we need a Committee. I cannot tell you how rejoiced I am to think we are going to have the public back of us, helping to work out these things which we know are wrong, and which we cannot remedy without this Child Labor Committee, that will give us some sense of co-operation and work together with us. The inspectors must have that assistance. Children who go to school and sell papers get up so early in the morning that they are so stupid during the day they cannot do anything. That was clearly demonstrated to me during my experience in teaching school."

A delegate replied: "I have had instances in school where children have gone to sleep over their desks because they got up at two or three o'clock in the morning to put out city lights and to sell papers. In those instances we warned the parents to take the children away from their work. Where they would not do it, we prosecuted them for contributing to the delinquency of their children."

DR. RYAN, St. Paul: "I have not been able to attend the meetings of this conference in previous years, so I am sorry that I missed the opportunity of learning so many things, and perhaps also what I have to say has been said already, better than I could say it; but the thought occurred to me this afternoon that this child labor movement has a much wider significance than merely in connection with the welfare of the children themselves. I think it has an immense importance for the betterment of labor conditions in general. As I view the matter, the social industrial system of the future will have to be either socialism or a humanized and regulated system of competition. One of the essential methods of humanizing and regulating competition will be to secure what has been called the national minimum; the national minimum of advantages or of welfare for all workmen. The national minimum of safety and sanitation and protection against advantage, against non-employment, against accidents and sickness, and last and perhaps most important of all, a national minimum of wages; that is to say, a wage which will be sufficient to maintain men decently. Then above that wage let men go as far as they can through their productivity or through their efforts in any way that is honorable.

"I think this child labor movement is an important move towards that national minimum of wages. We know very well the deplorable conditions in England during the period known as 'wage slavery' which were brought about largely because women competed with men and thereby brought down the whole wage scale.

"Women to-day are doing the same thing. That is, of course, a tremendous problem. I do not know how that can be remedied, the fact that women are bringing down the wage scale of men by competing with them and working for less wages; but the competition and the bringing down of the wage scale by children can be prevented and will be prevented to a great extent by the child labor movement.

"If we can get conditions everywhere so that the children will not work generally until they are sixteen years of age, the number of children at work will be much less, and the general effect on the wages of adults will be much smaller than it is at the present time. Those children who are at work will be much better able to take care of themselves and to get fairly decent conditions of wages and employment than the children working at present are able to get."

MISS JEAN M. GORDON, New Orleans: "I would like to ask any of the states that have a sixty-hour week provision, but no regular stipulated number of hours per day, as to what is done in the matter of the length of the working hours per day. The Louisiana law is sixty hours per week, and some of the manufacturers contend that they can shorten up one day and lengthen another.

"The point I have in mind is the laundry work. A great many of the laundries work the women until eight or nine o'clock at night two or three nights a week, and especially will that be so with the coming on of the winter travel South, when the Mardi Gras festivities are on and the city is

crowded to overflowing, and the laundry work has to be gotten out in maybe a twelve or twenty-four hour limit. For instance, the women do not come to work on Monday until one o'clock; that gives them six hours off on Monday. Then they tack on to three other days of the week either two or three hours, as the case may be, to the night work."

MISS TODD: "After sixteen years of age I know they work continually in Illinois. After sixteen years of age they can work all night and there is no law by which the hours can be restricted."

EDWARD W. FROST: "We have the same rule in Wisconsin. No child under sixteen years of age can work in a laundry in Wisconsin, but after sixteen they have the inestimable privilege of working themselves to death."

THE CHAIR: "Is there anyone here representing a state that has regulated the employment of girls or women in laundries? The National Consumers' League made a substantial contribution to the literature on this whole subject by compiling material for the United States Supreme Court in the Oregon case, and I wish, if Mrs. Kelley is willing, she would say in two or three words what was shown in that compilation and as to its result."

MRS. KELLEY: "Well, that was a terrible disillusionment. The United States Supreme Court ruled that the Oregon law is good law so far as the Federal Constitution is concerned. The Oregon law says that a woman may not be required or permitted or suffered to work longer than ten hours in twenty-four in any factory, mechanical establishment, or laundry. But now what do the state courts say? The Court of Appeals of the State of New York, when asked to sustain and enforce the substance of the Oregon law, says, 'Oh, the Supreme Court of the United States only meant that for Oregon. The Supreme Court of the United States only meant to restrict the working hours of women in Oregon. Oregon does not get into conflict with the Constitution of the United States.'

"But the Constitution of the State of New York makes it impossible to restrict the working hours of women and so apparently the other fifty-one states and territories now have to amend their state constitutions to comply with the Oregon constitution."

MR. EDWARD W. FROST: "May I say one word as a lawyer on this last point? Every state is supreme on all these things, but the splendid victory won by Mr. Brandeis and the National Consumers' League in the Oregon case has silenced in each state the claim that it is unconstitutional and affecting federal rights to limit the work of adult women and girls over sixteen. That does not settle the law for each individual state; it cannot, under our constitution, but it has given us great assistance and I think it will even ultimately bring around the Court of Appeals of New York."

MISS McDOWELL: "We have been advised by experts, and by this wonderful brief of Mr. Brandeis, that I am told was worked up for him by various women, and I think personally that in order to have these laws beyond the pale of unconstitutionality, we must put them under the head of health. If you get them there for the protection of the health and get them out of that realm of the freedom of contract which we shall have to fight

for a long time, I think we are safe and that is what we intend to try to do here, to get our next law under the head of protection of health."

SENATOR JAMES R. McDOWELL, Mississippi: "I will say that there are certain provisions which in no wise affect a woman's right to contract in our state, except on the ground as Miss McDowell says, of health, and the further ground of morality. For instance, the law in our state forbids a girl, or a woman for that matter, working in any place where intoxicating liquors are sold. At least that was the old law when prohibition went into effect the first of the year. That was on the ground of public morals; and there are others covered on the ground of public health, not only of the woman or mother, but of her children and the children that should come. But it is not interfering at all with her freedom to contract."

MR. GLENN: "I would like to say that Doctor Favill read, at the International Tuberculosis Congress, one of the ablest papers I have heard read on that line of thought, and I would advise everybody interested in the question of the police power and public health to read that paper. It was published in the tuberculosis number of *Charities and the Commons*, in April, 1908."

In closing the conference, the Chairman said: "To me it is always a moment of sadness because while I appreciate the permanent value of the papers and addresses given and all the inspiration we have received, I instinctively look out into the next twelve months and think of the hard battles we must fight and of the many respects in which we shall fall short of the ideals and standards we have set for ourselves during these inspiring hours.

"I trust that we may be encouraged by each other's help. The office of the National Child Labor Committee in New York does not claim to be the embodiment of a great amount of wisdom. What we do claim, however, is that we probably receive more inquiries and more suggestions from various parts of the country than come to any other point on this one subject, and we shall greatly appreciate it, when you have any question to ask or any knotty problems to be solved, and have no one nearer at hand with greater wisdom to whom you can refer them, if you will send them into the office of the National Child Labor Committee. We do not claim to be able to answer them, but we claim that we shall probably be able, without much delay, to refer them to someone in some other part of the country who has faced and met and perhaps solved the same problem that troubles you.

"I want you to understand that I am not asking for your money in the invitation I wish now to extend, for it costs the minimum fee practically to carry to our members the literature we send you; and when we ask you to pay a membership fee of two dollars a year we are simply asking you to allow yourself to receive our publications, as that fee just about covers the cost of sending them to you.

"We want you to join the National Child Labor Committee, because when any important measure comes up like this proposed Federal Children's Bureau, we want to know of several thousand people scattered through the

country to whom we can send the latest news on the subject and ask them to do certain specific things.

"Here is a case in point: To-day the interest in the minds of a number of Senators and Representatives in Washington as to this Federal Children's Bureau is due to the fact that there are several thousand people in the country who are writing them and getting other people to write them and getting the church to pass resolutions, and doing other things to impress upon these representatives what they want. A man cannot be a fair representative of his constituents unless he knows what his constituents want him to do, and the only way he can know that is for us to tell him what we want. For this reason we desire to have you join us in this great campaign. We are just at the beginning, as you can see by the points brought out in the papers presented at this conference; we are just at the beginning of the solution of this complicated national problem."

A formal resolution of thanks to the local Committee, the people of Chicago and the newspapers for the publicity which they gave the proceedings, and to all others who helped to make the conference a success, was enthusiastically adopted, and the conference adjourned *sine die*.